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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,224	09/17/2003	Shinji Miyamoto	3408.68347	3378

7590 05/16/2007
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Chicago, IL 60606

EXAMINER

ORTIZ CRIADO, JORGE L

ART UNIT	PAPER NUMBER
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2627

MAIL DATE	DELIVERY MODE
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05/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20070508

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

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DETAILED ACTION

Response to Amendment

The reply filed on 02/21/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

In response to the election/restriction of Species mailed 01/11/2007, Applicant has elected Species of Fig. 8, and presented claims 1-3 and 10-13 as readable on the elected species according to amendments made, that according to the applicant made the above claims generic.

However, the claims above are not readable on the elected species and are not generic claims as asserted.

The claims above as newly amended require “executes at least one of followings detection procedures of the APC”.

In the execution performed in Species of Fig. 8, the feature of “executing at least one of” is not found, nor in any of the other Species (e.g. of Figs. 11, 12 or 13). Hence, the claims are neither readable on the elected species nor made in generic form according to the currently amended and elected claims 1-3 and 10-13.

As required in the previous election restriction requirement mailed on 01/11/2007, Applicant's reply to the requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any

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claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L. Ortiz-Criado whose telephone number is (571) 272-7624. The examiner can normally be reached on Mon.-Thu.(12:30 pm- 9:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jorge L. Ortiz-Criado
Patent Examiner